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REMARKSA. Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the position that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the amendments to the specification, the amendments to the claims and the following remarks.

B. The Invention

The present invention is directed to toner that exhibits high transferability, high cleaning adaptability, no photoreceptor surface abrasion, no staining of the carrier, development rollers or charging unit, and no generation of toner blisters. In one of the novel aspects of the invention, the toner contains metal oxide particles having a domain-matrix structure.

C. Claim Status and Amendments

Claims 1-16 are presented for further prosecution. Claims 13-16 have been added by this amendment.

Claim 1 has been amended to clarify that the metal oxide particles have a domain-matrix structure composed of a domain

and a matrix. Support for this amendment can be found in paragraph 2 on page 10 of the application.

Claim 3 has been amended to recite that the domain is composed of zirconium oxide or aluminum oxide. Support for this amendment can be found in paragraph 1 on page 109 of the application.

Claim 5 has been amended to clarify that the diameter of the metal oxide particles and the diameter of the domain is a number-based average diameter. Support for this amendment can be found in paragraphs 1-2 on page 13 of the application.

New claims 13-15 have been added to recite the (B/A) ratio. Support for new claims 13 and 14 can be found in pars. 1-3 on page 13. Support for new claim 15 can be found in par. 2 on page 7 and in pars. 1-3 on page 13. New claim 15 is also based on the subject matter of claims 5 and 6.

New claim 16 recites that the metal oxide particles are an external additive. Support for new claim 16 can be found in paragraph 2 on page 10 of the application.

D. Specification Amendments

Paragraph 3 on page 13 of the application has been amended to clarify that diameters A and B are number based average diameters. Support for this amendment can be found in paragraphs 1 and 2 on page 13.

Page 32 of the application has been amended to clarify that the toner of the invention can be prepared by forming the resinous particles in the absence of colorants. In addition, page 86 of the application has been amended to reflect the composition of toners 2-7 in Table 3 on page 87 of the application. New matter has not been added.

E. Rejections under 35 USC 112

Claim 5 had been rejected as indefinite because the "primary particles" of the domain are not recited in claim 1. Applicants have amended claim 5 to delete reference to the "primary particles" of the domain. It is therefore believed that claim 5 has antecedent basis in claim 1.

F. Rejections under 35 USC 103

Claims 1-12 had been rejected as being unpatentable over Combes (U.S. 2003/0134217) in view of Kushi (U.S. 6,187,497) and Ohmura (U.S. 6,921,619).

Combes and Kushi had been cited to teach toner having a metal oxide additive. Ohmura had been cited to teach toner having a domain-matrix structure with metal oxide additives. The Examiner stated that the combination of the cited reference teaches the present invention.

1. The cited references do not teach or suggest metal oxide particles having domain-matrix structure

Claim 1 has been amended to clarify that the metal oxide particles, not the toner particles, have a domain-matrix structure. The claimed metal oxide particles are different than the toner particles because the metal oxide particles are employed as an external additive for the toner (paragraph 2 on page 10 of the application). Thus, the metal oxide particles of the present invention have the domain-matrix structure, not the toner particles.

Ohmura teaches toner having a domain-matrix structure, not metal oxide particles having a domain-matrix structure. In this regard, Ohmura explains that the domain-matrix structure of his toner particles includes resins, colorants, and crystalline materials, not metal oxide particles (col. 6, lines 4-11 of Ohmura). The domain-matrix structure of Ohmura does not include metal oxide particles. Applicants therefore respectfully submit that Ohmura does not teach or suggest metal oxide particles having a domain-matrix structure.

In col. 41, lines 58-61 of Ohmura, Ohmura teaches metal oxide particles as an external additive. However, these metal oxide particles do not have the domain-matrix structure. Thus, Ohmura does not teach or suggest metal oxide particles having the domain-matrix structure of the present invention.

2. The significance of the domain-matrix structure of the claimed metal oxide particles

The significance of the domain-matrix structure of the claimed metal oxide particles is shown in Tables 2 and 4 of the application. As shown in Table 2 on page 63, Inventive metal oxide particles 1-7 have a domain-matrix structure, while Comparative metal oxide particles 1 and 2 do not have a domain-matrix structure. Table 4 on page 93 shows that Inventive toners 1-7 having Inventive metal oxide particles 1-7 are superior to Comparative toners 1 and 2 having Comparative metal oxide particles 1 and 2. Specifically, compared to Comparative toners 1 and 2, Inventive toners 1-7 having metal oxide particles with the claimed domain-matrix structure minimized the increase in charge amount at low temperature and low humidity, effectively minimized transfer repellancy at low temperature and low humidity, resulted in a long life of the developing agents, exhibited adaptability to the cleanerless process and exhibited excellent storage stability. Applicants therefore respectfully submit that Tables 2 and 4 of the application demonstrate the significance of a toner having the claimed metal oxide particles with a domain-matrix structure.

As discussed in section 1 above, Ohmura does not teach metal oxide particles having a domain-matrix structure. Ohmura

therefore does not teach or suggest the significance of employing the claimed metal oxide particles shown in Tables 2 and 4 of the application. Applicants therefore respectfully submit that the present invention is not obvious based on a combination of the teachings of Ohmura with the other cited references, because Ohmura and the other cited references do not teach or suggest metal oxide particles having a domain-matrix structure, or the significance of the domain-matrix structure shown in Tables 2 and 4 of the application.

G. Double patenting rejection

Claims 1-4 had been provisionally rejected for obviousness-type double patenting as being unpatentable over claim 1 of U.S. 10/924,095.

Applicants intend to file a Terminal Disclaimer to overcome the double patenting rejection upon the indication of allowable subject matter.

H. Timeliness of Response

The 3-month period for reply to the Office Action expired on July 4, 2006. Since July 4 was a holiday, the 3-month period for reply was extended until July 5, 2006. This response is therefore being filed within the 3-month period.

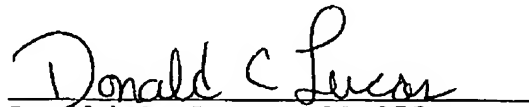
I. Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

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